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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
GINA TCHIKOVANI, )  
 )  
Defendant. )

No. CR 10-100 MHP

STIPULATION CONTINUING CHANGE  
OF PLEA HEARING AND ~~PROPOSED~~  
ORDER EXCLUDING TIME FROM  
AUGUST 23, 2010 TO SEPTEMBER 13,  
2010

The parties stipulate as follows:

1. The defendant, GINA TCHIKOVANI, represented by Charles Bourdon and Ruth Edelstein, Esquires, and the government, represented by Tracie L. Brown, Assistant United States Attorney, appeared before the Court on July 12, 2010 for a status hearing. At that hearing, the parties set a change of plea hearing date of August 23, 2010. The parties agreed that time should be excluded between July 12, 2010 and August 23, 2010 based on effective preparation and continuity of counsel, and the Court so ordered.

2. The parties have begun plea negotiations, but need additional time to work out

1 details and conduct investigation into loss and restitution amounts. This additional time is  
 2 necessary because of the respective schedules of both the government and defense counsel, as  
 3 well as the volume of loan-related documents in the case.

4 3. The parties therefore request that the Court vacate the August 23, 2010 change of  
 5 plea date, and schedule a new change of plea date on September 13, 2010 or such a date  
 6 thereafter as may be convenient for the Court. The parties further agree that time should be  
 7 excluded based on the need for effective preparation and continuity of counsel, as defense  
 8 counsel have been in trial for several weeks and government counsel will be out of the office for  
 9 one week in August.

10 DATED: \_\_\_\_ 8/13/10 \_\_\_\_ /s/  
 11 TRACIE L. BROWN  
 12 Assistant United States Attorney

13 DATED: \_\_\_\_ 8/13/10 \_\_\_\_ /s/  
 14 CHARLES BOURDON/RUTH EDELSTEIN  
 15 Counsel for the Defendant

16 **[PROPOSED ORDER]**

17 Based on stipulation of the parties, the Court hereby vacates the August 23, 2010 hearing  
 18 and sets a new change of plea date for 10:00 am on September 13, 2010.

19 Based upon the representation of counsel and for good cause shown, the Court finds that  
 20 failing to exclude the time between August 23, 2010 and September 13, 2010 would  
 21 unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable  
 22 time necessary for effective preparation, taking into account the exercise of due diligence. 18  
 23 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding  
 24 the time between August 23, 2010 and September 13, 2010 from computation under the Speedy  
 25 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore,  
 26 IT IS HEREBY ORDERED that the time between August 23, 2010 and September 13, 2010

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1 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and  
2 (B)(iv).

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5 DATED: 8/23/2010  
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